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3 men, firm indicted in Libya deal

By Chuck Neubauer

A NORTHBROOK company, two of its officers and a Libyan Air Force colonel were indicted here Wednesday in connection with the illegal sale of \$18.3 million in military aircraft parts to Libya.

Federal officials called it the biggest criminal case in U.S. history involving the sale of contraband military equipment to a foreign government.

The decision by a federal grand jury to indict the Libyan colonel, who is in Libya, outside the grand jury's jurisdiction, added a further international aspect to the case.

In addition, the grand jury named as an unindicted accomplice an Italian firm, Aeronavali, of Venice. The firm allegedly received some of the illegal parts and installed them on Libyan C-130 Hercules military cargo planes.

INDICTED WERE:

• Tencom Corp., 3647 Woodhead Dr., Northbrook, a supplier of aircraft parts.

• Nedim Sulyak, 30, 1303 Landwehr Rd., Northbrook, president and owner of Tencom. Sulyak is a native of Turkey who founded Tencom in 1978 after completing studies at the University of Illinois at Chicago Circle.

• Donald Malsom, 31, 1245 N. Dearborn St., vice president in charge of sales for Tencom.

• Col. Najmeddin El Yazgi, 37, of Tripoli, Libya. He procures equipment for the Libyan Air Force and pilots Libyan government Jetstar planes used by top Libyan officials, apparently including the nation's ruler, Moammar Khadafy. The indictment charges that Col. El Yazgi flew the Jetstar to the United States and West Germany to place orders with Tencom officials.

Some details of the 11-month federal investigation were disclosed by The Tribune on Nov. 29.

THE GRAND JURY returned the indictment in U.S. District Court after hearing evidence assembled by William J. Cook, Felipe Sanchez and Jeremy Margolis, assistant U.S. attorneys; Arthur Barkman, a special U.S. customs agent; and Gary Belt, a special agent of the U.S. Department of Commerce. U.S. customs agents overseas also worked on the case.

The 30-count indictment charges that the sales scheme was carried out in violation of federal export laws. Since 1978, the U.S. has banned shipments of

potential war materials, including aircraft parts, to Libya because they could be used to aid terrorists throughout the world.

Charges in the indictment include conspiracy, violations of federal laws regulating the sale of munitions and war materials and filing false federal documents.

The indictment charged that company records falsely listed the shipped materials as nonmilitary and that the firm misstated the final destination on export documents.

THE GRAND JURY charged that between November, 1980, and September, 1981, Tencom sent 60 shipments of parts worth \$14 million to the Libyans. Another \$2.3 million in parts were at O'Hare International Airport, ready to be shipped, when they were seized by customs agents last September.

The parts were for C-130 military cargo planes, L-100 civilian cargo planes that are virtually identical to C-130s and CH-47 Chinook helicopters. Libya apparently acquired these aircraft from the U.S. before the ban went into effect in 1978.

Libya reportedly is desperate for parts to keep these craft in operation. The aircraft were used by Libya during its invasion of neighboring Chad in December, 1980, shortly after Tencom allegedly began dealing with Col. El Yazgi.

Federal officials said Libya ranks high among nations unfriendly to the U.S. Last August, American navy fighters shot down two Libyan warplanes that had fired on them over the Mediterranean Sea. Since then, there have been reports of a Libyan assassination team stalking President Reagan.

THE INDICTMENT said Tencom shipped parts to the Libyans through two West German firms. When the parts left the U.S., the German companies were listed as the final destination, although neither would normally have any use for such equipment.

The indictment contends that the West German firms shipped the materials either directly to Libya or to Aeronavali in Venice.

Investigators discovered that Col. El Yazgi sent the Libyan C-130s to Aeronavali, which was doing maintenance work, and that El Yazgi and Aeronavali employees determined what parts were needed and he would place the orders with Tencom.

It has not been determined if the governments of Italy and West Germany, both NATO allies of the U.S., were aware of the role their firms were playing in the alleged scheme.

The grand jury traced the flow of \$18.3 million from the Libyans to Tencom to pay for most of the parts. Some of the money passed through West German and American banks, wire transfers being used to disguise the source of the funds.

THE GRAND JURY found that in one instance Libya transferred \$2 million into a Tencom account in a West German bank. Later, \$1.8 million was transferred from that bank to a Tencom bank in the U.S.

Agents found that in another instance \$800,900 was transferred directly to a Tencom bank account here from a special account maintained by the Libyan Embassy in Washington.

Unmentioned in the indictment is the possible role of Edwin Wilson, a recently arrested former CIA agent under indictments in New York and Houston on charges of smuggling explosives for the Libyan government.

Before he was arrested June 15, federal agents suspected that one of Wilson's primary duties for the Libyan government was to obtain parts for the Libyan air force.

In an unsuccessful effort to lower his \$20 million bail, Wilson filed court documents in Washington last week stating that he tipped the federal government to the fact that Tencom was making illegal sales to Libya.

THE TRIBUNE reported in November that the federal government began investigating Tencom after receiving an anonymous letter along with a packing slip for a parts shipment from Tencom to Libya.